

Charles B. Hendricks
State Bar No. 09451050
Leah Duncan
State Bar No. 24114061
CAVAZOS HENDRICKS POIROT, P.C.
Suite 570, Founders Square
900 Jackson Street
Dallas, TX 75202
Phone: (214) 573-7310
Fax: (214) 573-7399
Email: lbundage@chfirm.com

Proposed Attorneys for Anne Elizabeth Burns, Chapter 7 Trustee

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In Re:	§	
	§	Case No. 22-30085-sgj7
	§	
SPORTS ONE SUPERSTORES CORP.,	§	Hearing Date: August 3, 2022
	§	Hearing Time: 9:30 A.M.
Debtor.	§	
	§	

TRUSTEE'S MOTION TO SELL PROPERTY OF THE ESTATE

NOTICE TO ALL INTERESTED PARTIES:

THE HEARING DATE ON SUCH SALE IS SET FOR 9:30 A.M. ON AUGUST 3, 2022, WHICH IS AT LEAST TWENTY-ONE (21) DAYS FROM THE DATE OF SERVICE HEREOF, BEFORE THE HONORABLE JUDGE STACEY G. C. JERNIGAN. NO OBJECTION TO SUCH SALE WILL BE CONSIDERED UNLESS A WRITTEN RESPONSE IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AT THE EARLE CABELL FEDERAL BUILDING, 1100 COMMERCE STREET – ROOM 1254, DALLAS, TEXAS 75242 AT LEAST FORTY-EIGHT (48) HOURS IN ADVANCE OF SUCH HEARING DATE.

ANY RESPONSE MUST BE IN WRITING AND FILED WITH THE CLERK, AND A COPY MUST BE SERVED UPON COUNSEL FOR THE MOVING PARTY PRIOR TO THE DATE AND TIME SET FORTH HEREIN. IF A RESPONSE IS FILED, A HEARING WILL BE HELD WITH NOTICE ONLY TO THE OBJECTING PARTY.

IF NO HEARING ON SUCH NOTICE OR MOTION IS TIMELY REQUESTED, THE RELIEF REQUESTED SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT OR THE NOTICED ACTION MAY BE TAKEN.

TO THE HONORABLE STACEY G. C. JERNIGAN, U.S. BANKRUPTCY JUDGE:

Anne Elizabeth Burns, the Chapter 7 Trustee (the “Trustee”), files this **Trustee’s Motion to Sell Property of the Estate** (the “Motion”) for entry of an order, substantially in the form of the proposed order attached hereto, and in support would respectfully show the Court as follows:

1. This Court has jurisdiction over this matter under 28 U.S.C. § 1334. This is a core proceeding under 28 U.S.C. § 157(b)(1) and (b)(2)(A) and (N). Authority to grant the relief requested is provided by 11 U.S.C. § 363 and Bankruptcy Rule 6004.

2. On January 20, 2022, Sports One Superstores Corp. (the “Debtor”) filed its chapter 11 bankruptcy case.

3. On June 30, 2022, the case was converted to chapter 7, and Anne Elizabeth Burns was appointed the Chapter 7 Trustee.

4. The Debtor filed its bankruptcy schedules (the “Schedules”) on February 24, 2022 [Docket No. 28] and scheduled certain non-exempt personal property as described in Schedule B.21, Schedule B.40, and Schedule B.41, consisting of sports merchandise, store fixtures, and office equipment, of the Schedules (collectively, the “Property”).

5. Other than tax liens, the Debtor does not set forth any debt purportedly secured by the Property in Schedule D of the Schedules.

6. The Property is located at 934 E. Copeland Road, Suite 100, Arlington, TX 76011 (the “Leased Premises”).

7. Contemporaneously with the filing of this Motion the Trustee has filed her Trustee’s Application for Employment of Auctioneer [Docket No. 123] to employ Rosen Systems, Inc. (“Rosen”) for the purpose of marketing and selling the Property. An order to approve the employment of the Rosen as the auctioneer for the Estate will be uploaded for entry by the Court upon the expiration of the objection period for the Application (assuming no objections are filed).

8. The Trustee desires to sell the Property, pursuant to 11 U.S.C. § 363(b), at an online auction to the highest bidder free and clear of liens, claims, and encumbrances, with all liens, claims, and encumbrances, if any, attaching to the proceeds of such sale.

9. The online auction is to be conducted by Rosen (www.rosensystems.com) with bidding to start on August 3, 2022. Bidding will have a rolling close on August 10, 2022 starting at 10:00 A.M., with one lot per minute closing until all lots are sold.

10. Inspection will take place by appointment on August 9, 2022 from 9:00 A.M. through 3:00 P.M. at the Leased Premises. **Sale of the Property in the auction is as is, where is.**

WHEREFORE, PREMISES CONSIDERED, The Trustee requests that this Court enter an order authorizing the sale of the Property at auction to the highest bidder, free and clear of liens, claims, and encumbrances, with all liens claims, and encumbrances, if any, attaching to the proceeds of such sale pursuant to 11 U.S.C. § 363(f). The Trustee further requests that this Court authorize the Trustee to sign any documentation and take all actions necessary to effectuate the auction and sale of the Property. The Trustee further requests that this Court allow waive the fourteen (14) day stay pursuant to Rule 6004(h) and authorize the sale effective immediately upon entry of an order approving this Motion.

Respectfully submitted,

/s/ Leah Duncan

Charles B. Hendricks

State Bar No. 09451050

Leah Duncan

State Bar No. 24114061

CAVAZOS HENDRICKS POIROT, P.C.

900 Jackson Street, Suite 570

Dallas, TX 75202

Phone: (214) 573-7310

Fax: (214) 573-7399

Email: lbundage@chfirm.com

Proposed Attorneys for Anne Elizabeth Burns, Chapter 7
Trustee